

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

VIKING BANK, a Washington state banking corporation

## IN ADMIRALTY

Flannigan, 1

Case No. C10-1035 RSM

12. PERFECT UNION, Official Number 510731,  
her engines, Machinery, Appurtenances, etc.,  
13. *In Rem*:

STIPULATED ORDER GRANTING  
SUMMARY JUDGMENT AND  
DIRECTING SALE WITH CREDIT  
BID AUTHORITY

14. and

15. JACK I. JOHNSON and JOAN G. SHELLEDY-JOHNSON, *In Personam,*

## Defendants.

THIS MATTER having come before this Court on plaintiff's Motion for Summary Judgment against the defendant vessel PERFECT UNION and *in personam* defendants Jack Johnson and Joan G. Shelley-Johnson, and the Court, having considered the plaintiff's motion for summary judgment and supporting documents, defendants' stipulation to such motion and to the entry of this order and judgment, and all other materials filed therein, now, therefore,

ORDER GRANTING SUMMARY JUDGMENT  
AND DIRECTING SALE - 1

**HOLMES WEDDLE & BARCOTT, PC**  
999 THIRD AVENUE, SUITE 2600  
SEATTLE, WA 98104-4011  
TELEPHONE (206) 292-8008  
FAX (206) 340-0289

1. IT IS ORDERED that plaintiff's Motion for Summary Judgment and Order  
2. Directing Sale is GRANTED. Judgment in favor of plaintiff against the defendant vessel  
3. PERFECT UNION and *in personam* defendants Jack Johnson and Joan G. Shelledy-  
4. Johnson, jointly and severally, in the amount of \$103,410.28, plus interest at the per diem  
5. rate of \$26.72, from June 9, 2010, plus \$7,076.35 as its reasonable attorneys' fees and  
6. costs.

7. IT IS FURTHER ORDERED that Viking Bank's Preferred Ship Mortgage is a  
8. valid lien upon the Vessel, prior and superior to interests, liens, or claims of defendants  
9. and any other person and is hereby foreclosed.

10. IT IS FURTHER ORDERED that the PERFECT UNION, Official Number  
11. 510731, be sold pursuant to 46 U.S.C. §§ 31325(b)(1) and 31326, Supplemental  
12. Admiralty Rule E(9), and Local Admiralty Rules 145, 150, and 155, free and clear of all  
13. liens and encumbrances on a date and time hereafter arranged and agreed to by Viking  
14. Bank and the U.S. Marshal.

15. IT IS FURTHER ORDERED that at the sale of the PERFECT UNION, Official  
16. Number 510731, Viking Bank shall be permitted to bid all or a part of its judgment  
17. hereunder without cash deposit.

18. IT IS FURTHER ORDERED that should excess funds remain after paying all  
19. sums due others under this Order following the sale of said vessel, the excess funds shall  
20. be sent to defendants Jack Johnson and Joan G. Shelledy-Johnson payable to the Cook &  
21. Bartlett IOLTA Account.

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ORDER GRANTING SUMMARY JUDGMENT  
AND DIRECTING SALE - 2

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2. DATED this 27 day of December 2010.

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6. RICARDO S. MARTINEZ  
7. UNITED STATES DISTRICT JUDGE

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11. Presented by:

12. HOLMES WEDDLE & BARCOTT  
13. A Professional Corporation

14.

15. JOHN E. CASPERSON, WSBA #14292  
16. R. SHAWN GRIGGS, WSBA #30710  
17. Attorneys for Plaintiff

18. APPROVED FOR ENTRY

19. COOK & BARTLETT

20.

21. Robert M. Bartlett, WSBA #19818  
22. Attorneys for Defendants

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ORDER GRANTING SUMMARY JUDGMENT  
AND DIRECTING SALE - 3

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